

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of :

Richard L. Solomon

Serial No. :

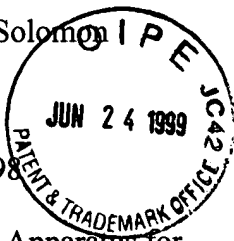
09/082,663

Filed :

May 21, 1998

For :

Method and Apparatus for
Emulating a Device within a Data
Processing System



RECEIVED

JUL 02 1999

Group 2700

Examiner:

Atty Docket :

/ 97-125

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on the date indicated below:

Maria Kovacs

6/21/99
Date

Maria Kovacs
Signature

CERTIFICATION UNDER 37 C.F.R. 3.73(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

LSI Logic Corporation, a California corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of the acquisition of the original assignee, Symbios Logic Inc.

The documents verifying LSI Logic's ownership are attached herewith. Additionally, a copy of the original assignment from the inventor(s) to Symbios is attached. The original assignment from the inventor(s) to Symbios was recorded in the Patent and Trademark Office on May-21, 1998 at Reel 9225, Frame 954.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

LSI Logic Corporation
1551 McCarthy Blvd., MS D-106
Milipitas, CA 95035
(408) 433-8708

Date: 5/31/99

Respectfully submitted,

David G. Pursel

David G. Pursel
Associate General Counsel
Corporate Assistant Secretary
LSI LOGIC CORPORATION



97-125

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 14, 1998

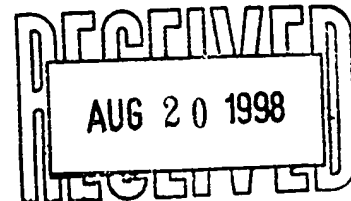
WAYNE P. BAILEY
2001 DANFIELD COURT
FORT COLLINS, CO 80525

PTAS



100736592A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT



THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/21/1998

REEL/FRAME: 9225/0954
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
SOLOMON, RICHARD L.

DOC DATE: 05/18/1998

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ASSIGNEE:
SYMBIOS, INC.
2001 DANFIELD COURT
FORT COLLINS, COLORADO 80525

JUL 02 1999

Group 2700

SERIAL NUMBER: 09082663
PATENT NUMBER:

FILING DATE: 05/21/1998
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MRD 5-21-98

Sheet No.: 97-125

FORM PTO-1595 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp. 4/94)
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P08/REV02

REGISTRATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

06-12-1998



Tab settings → → → ▼ ▼

To the Honorable Commissioner of Patents

hed original documents or copy thereof.

1. Name of conveying party(ies):

Richard L. Solomon

2. Name and address of receiving party(ies):

Name: Symbios, Inc.Internal Address: JUL 02 1999Additional names(s) of conveying party(ies) ☐

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Street Address: 2001 Danfield CourtCity: Fort Collins State: CO ZIP: 80525Execution Date: May 18, 1998Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

09/082663

If this document is being filed together with a new application, the execution date of the application is: May 18, 1998

A. Patent Application No.(s)

B. Patent No.(s)

06/11/1998 DC0ATES 00000056 195405 09082663
01 FC:581 40.00 CH

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Wayne P. Bailey

Internal Address: _____

Street Address: 2001 Danfield CourtCity: Fort Collins State: CO ZIP: 80525

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

19-5405

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kathleen M. Manke

Kathleen M. Manke

May 21, 1998

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

3

ASSIGNMENT OF UNITED STATES PATENT APPLICATION

WHEREAS, I, Richard L. Solomon, of Colorado Springs, CO, have invented certain new and useful improvements in a **METHOD AND APPARATUS FOR EMULATING A DEVICE WITHIN A DATA PROCESSING SYSTEM**, Docket No. 97-125, for which I have executed an application for Letters Patent of the United States on 5/18/78; and

WHEREAS, Symbios, Inc., a corporation of the State of Delaware, having its principal place of business in Fort Collins, Colorado, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and any and all foreign countries;

NOW, THEREFORE, be it known for good and valuable considerations, receipt of which is hereby acknowledged, I do hereby sell, assign and transfer unto said Symbios, Inc., its successors and assigns, the entire right, title and interest in and to the invention and improvements in any form or embodiment thereof, disclosed and claimed in said application, or which are disclosed and may be claimed; also the entire right, title and interest in and to any Letters Patent to be granted in the United States and its territorial possessions and in any and all foreign countries upon said invention in any form or upon any such improvements thereon, and in and to any and all divisions, reissues, continuations and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue any Letters Patent on said application to the said Symbios, Inc., of Delaware, its successors and assigns.

Further, I agree that I will communicate to said Symbios, Inc., or its representatives, any facts known to me respecting said invention, and testify in any legal proceeding, sign all

lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Symbios, Inc., make all rightful oaths and generally to do everything possible to aid said Symbios, Inc., its successors and assigns, to obtain and enforce protection for said invention in the United States and in any and all foreign countries.

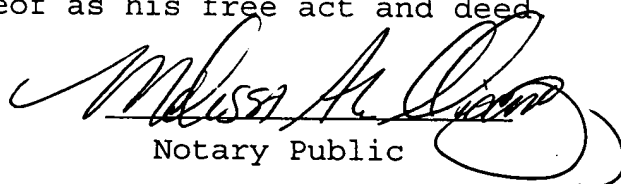
Signed at Colorado Springs, Colorado, this 18th day of May, 1998.


Richard L. Solomon

STATE OF COLORADO)
) ss:
COUNTY OF EL PASO)

On this 18th day of May, 1998, before me personally appeared Richard L. Solomon, to me personally known and known to be the person who signed the foregoing assignment, and acknowledged the signing thereof as his free act and deed.

(SEAL)


Notary Public

MY COMMISSION EXPIRES:
October 17, 1999



CERTIFICATE OF OWNERSHIP

MERGING LSI LOGIC (fsi), INC.

INTO LSI LOGIC CORPORATION

RECEIVED

JUL 02 1999

Group 2700

LSI Logic Corporation, a corporation incorporated on June 11, 1987 pursuant to the provisions of the Delaware General Corporation Law (the "Corporation"), does hereby certify that this Corporation owns all of the capital stock of LSI Logic (fsi), Inc., a corporation incorporated under the laws of Delaware (the "Subsidiary") and that this Corporation, by resolutions of its board of directors duly adopted pursuant to an Action by Written Consent of the Board of Directors dated March 30, 1999 and filed with the minutes of the Board of Directors, determined to and did merge into itself said Subsidiary which resolutions are in the following words:

WHEREAS this Corporation lawfully owns all of the outstanding stock of Subsidiary, a corporation organized and existing under the laws of Delaware, and

WHEREAS this Corporation desires to merge into itself the Subsidiary and to be possessed of all the estate, property, rights, privileges and franchises of said Corporation.

NOW, THEREFORE, BE IT RESOLVED, that this Corporation merge into itself, and does hereby merge into itself, Subsidiary and assumes all of its liabilities and obligations, and


FURTHER RESOLVED, that the proper officer of this Corporation be and he or she hereby is directed to make and execute, a certificate of ownership setting forth a copy of these resolutions, to merge Subsidiary and assume its liabilities and obligations, and the date of adoption thereof, and to file the same in the office of the Secretary of State of Delaware, and

FURTHER RESOLVED, that the officers of this Corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the state of Delaware, which may be in any way necessary or proper to effect said merger.

IN WITNESS WHEREOF, said Corporation has caused this certificate to be signed by David E. Sanders, its Vice President, General Counsel and Secretary.

Dated: March 30, 1999

LSI LOGIC CORPORATION

By: 

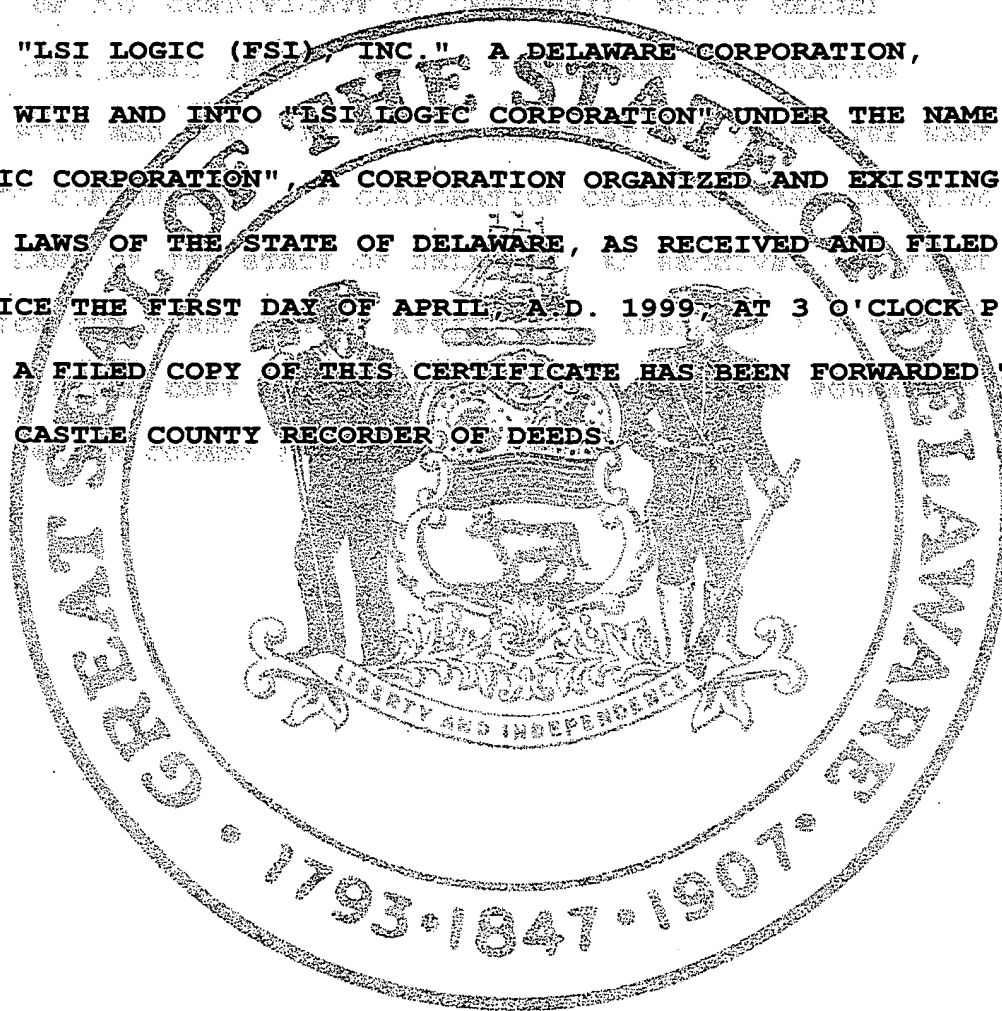
David E. Sanders
Vice President, General Counsel and
Secretary

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"LSI LOGIC (FSI), INC." A DELAWARE CORPORATION,
WITH AND INTO "LSI LOGIC CORPORATION" UNDER THE NAME OF "LSI LOGIC CORPORATION", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE FIRST DAY OF APRIL, A.D. 1999, AT 3 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel, Secretary of State

2109844 8100M

991129345

AUTHENTICATION:

DATE:

9666986

04-05-99

**STATE OF DELAWARE
CERTIFICATE OF AMENDMENT
OF CERTIFICATE OF INCORPORATION**

Symbios, Inc.

a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware.

DOES HEREBY CERTIFY:

FIRST: That at a meeting of the Board of Directors of Symbios, Inc.

resolutions were duly adopted setting forth a proposed amendment of the Certificate of Incorporation of said corporation, declaring said amendment to be advisable and calling a meeting of the stockholders of said corporation for consideration thereof. The resolution setting forth the proposed amendment is as follows:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered " 1. Name " so that, as amended, said Article shall be and read as follows:

The name of the corporation is "LSI Logic (fsi), Inc."

SECOND: That thereafter, pursuant to resolution of its Board of Directors, a special meeting of the stockholders of said corporation was duly called and held upon notice in accordance with Section 222 of the General Corporation Law of the State of Delaware at which meeting the necessary number of shares as required by statute were voted in favor of the amendment.

THIRD: That said amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, said Symbios, Inc.

has caused this certificate to be signed by

David E. Sanders

, an Authorized Officer,

this 31 day of August, 19 98.

By: David E. Sanders

Authorized Officer

Name: David E. Sanders

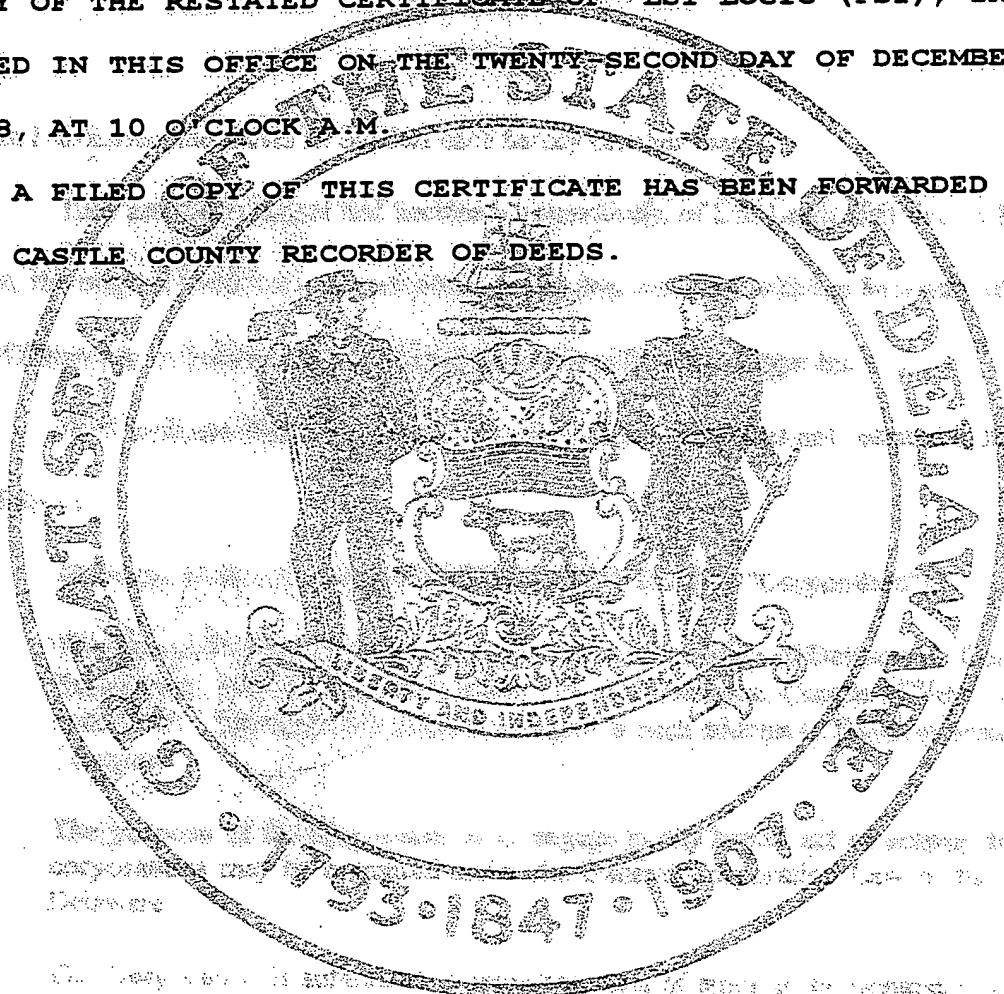
Print or Type

Title: Secretary

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE RESTATED CERTIFICATE OF "LSI LOGIC (FSI), INC.", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF DECEMBER, A.D. 1998, AT 10 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel

Edward J. Freel, Secretary of State

2479574 8100

981494751

AUTHENTICATION: 9487786

DATE: 12-28-98

AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF
LSI LOGIC (fsi), INC.

John J. D'Errico and David E. Sanders each hereby certifies that:

(1) They are the President and Secretary, respectively, of LSI Logic (fsi), Inc., a Delaware corporation, the original Certificate of Incorporation of which was filed with the Secretary of State of the State of Delaware on February 9, 1995 under the name of Symbios Logic Inc.

(2) The Certificate of Incorporation of this corporation is amended and restated in its entirety to read as follows:

"FIRST: The name of this corporation is LSI Logic (fsi), Inc. (the "Corporation").

SECOND: The address of the Corporation's registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle, zip code 19801. The name of its registered agent at such address is The Corporation Trust Company.

THIRD: The purpose of the Corporation is to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of the State of Delaware.

FOURTH: The Corporation is authorized to issue one class of stock to be designated Common Stock. The total number of shares of Common Stock the Corporation shall have authority to issue is 1,000 shares. The par value of the Common Stock shall be \$0.001 per share. Upon the filing hereof, each forty thousand (40,000) outstanding shares of Common Stock of the Corporation shall be converted into one (1) share of Common Stock of the Corporation.

- FIFTH: Elections of directors need not be by written ballot unless the Bylaws of the Corporation shall so provide.
- SIXTH: In connection with the election of directors, the stockholders shall be entitled to cumulate their votes as provided in Section 214 of the General Corporation Law of the State of Delaware.
- SEVENTH: In furtherance and not in limitation of the powers conferred by statute, the Board of Directors is expressly authorized to make, alter, amend or repeal the Bylaws of the Corporation; provided, however, that the stockholders may amend the Bylaws to provide that any provision(s) of the Bylaws concerning the size of the Board of Directors may not be further amended by the Board of Directors. Any such amendment shall explicitly state which particular provision(s) of the Bylaws may not be further amended by the Board of Directors.
- EIGHTH: To the fullest extent permitted by the Delaware General Corporation Law as the same exists or as may hereafter be amended, no director of the Corporation shall be personally liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director.

The Corporation shall indemnify to the fullest extent permitted by law any person made or threatened to be made a party to an action or proceeding, whether criminal, civil, administrative or investigative, by reason of the fact that he or she or his or her testator or intestate is or was a director, officer or employee of the Corporation or any predecessor of the Corporation or serves or served any other enterprise as a director, officer or employee at the request of the Corporation or any predecessor to the Corporation.

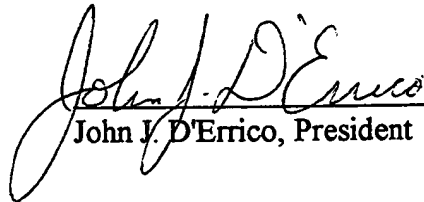
Neither any amendment nor repeal of this Article Eighth, nor the adoption of any provision of this Certificate of Incorporation inconsistent with this Article Eighth, shall eliminate or reduce the effect of this Article Eighth in respect of any matter occurring, or any cause of action, suit or claim accruing or arising or that, but for this Article Eighth, would accrue or arise, prior to such amendment, repeal or adoption of an inconsistent provision."

- (3) The Board of Directors has given written consent to the foregoing Amended and Restated Certificate of Incorporation in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

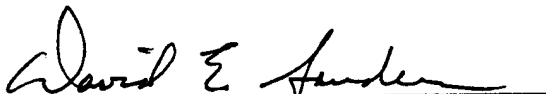
(4) The sole stockholder of the Corporation has given written consent to the foregoing Amended and Restated Certificate of Incorporation in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware.

(5) The aforementioned Amended and Restated Certificate of Incorporation was duly adopted in accordance with the applicable provisions of the General Corporation Law of the State of Delaware.

IN WITNESS WHEREOF, the undersigned have executed this Amended and Restated Certificate of Incorporation on this 21st day of December, 1998.


John J. D'Errico, President

Attest:


David E. Sanders, Secretary